IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE P.SWAROOP REDDY

WRIT PETITION No.23015 OF 2006

Between:

Government of Andhra Pradesh, represented by its Principal Secretary, Home Department, Secretariat, Hyderabad, and others.

..... PETITIONERS

AND

D.Venkata Rao and others.

....RESPONDENTS

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE P.SWAROOP REDDY

WRIT PETITION No.23015 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

This writ petition is filed with a prayer as follows:

> **"… Hon'ble Court may be pleased to issue an appropriate Writ or direction more particularly one in the nature of 'Writ Certiorari" calling for the records, relating to an connected with order dated 08.01.2003 in O.A.No.153 of 2003 on the file of the Hon'ble A.P.A.T., Hyderabad and to quash the same by holding as erroneous and contrary to law and pass …"**

All the respondents are served, but they did not choose to appear and contest the matter.

When the writ petition is taken up, learned counsel for the petitioners made a categoric statement that the issue involved in the writ petition is covered by an earlier judgment of this Court in W.P.No.4424 of 2004, dated 04.12.2006, by which this Court allowed the writ petitions setting aside the order under challenge and remitting the matter back to the Tribunal for fresh consideration.

In the circumstances, this writ petition is also allowed in terms of the order in W.P.No.4424 of 2004, disposed of on 04.12.2006. The order under challenge is set aside and the matter is remitted back to the Tribunal for fresh consideration following the reasons as assigned by this Court while disposing of the abovementioned writ petition. No costs.

JUSTICE J.CHELAMESWAR

JUSTICE P.SWAROOP REDDY

16th MARCH, 2007
PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
P.SWAROOP REDDY

WRIT PETITION No.23015 OF 2006
(Per Sri Justice J.Chelameswar)

16th MARCH, 2007